

**SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES
LAW ENFORCEMENT DIVISION DIRECTIVE**

DIRECTIVE #: D 344

PAGE 1 of 3

SUBJECT: REPORTABLE BOAT INCIDENT/ACCIDENT
INVESTIGATIONS

DATE: JUL 1, 2004

RELATED DIRECTIVES, STANDARDS, ETC:

LAST REVISION: SEP 1, 2011

RESPONSIBLE AUTHORITY: DEPUTY DIRECTOR OF LAW ENFORCEMENT

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PURPOSE: To establish procedures to be used when investigating a reportable boat incident / accident under the authority of the South Carolina Department of Natural Resources.

DIRECTIVE: Thorough procedures are necessary to ensure that all reportable boating incidents/accidents are investigated properly and in a timely manner.

DEFINITIONS

A. **Reportable Boat Incident/Accident:** Means an accident/incident, collision, or other casualty involving a vessel, which results in loss of life, injury which results in loss of consciousness, necessity for medical treatment, necessity to carry a person from the scene, disability which prevents the discharge of normal duties beyond the day of casualty, or actual physical damage to property including vessels in excess of the minimum amount set by the United States Coast Guard for reportable accidents.

NOTE: For Incidents involving DNR LE vessels, refer to (Directive 327 LE Vessel Accidents). In addition, any incident/accident involving a DNR vessel (including non-LE Vessels) must be investigated by the Law Enforcement Investigations Section.

PROCEDURES

- A. This section identifies two types of reportable incidents/accidents and establishes guidelines by which each is to be investigated. In all investigations, the Region Captain or the Law Enforcement Investigations Supervisor will be kept informed of the progress of the investigation.
- B. Non-fatal Boating Incidents/Accidents will be investigated by the DNR Law Enforcement Officer assigned to the incident/accident by the DNR Law Enforcement chain of command. When a non-fatal boat incident/accident occurs, the DNR Law Enforcement Officer will

respond to the incident scene and if it is determined that there is not a fatality, the responding officer will assume the duties as the reporting/investigating officer.

NOTE: In cases where an injury is determined by a medical doctor to be an injury considered "GREAT BODILY INJURY" the Region Captain or Region Supervisor may request the assistance of an Investigator from the Law Enforcement Investigations Section Supervisor. If the request is approved an investigator will be assigned to assist with the investigation however, the investigation will remain the responsibility of the assigned Region Officer unless death occurs.

- C. Fatal Boating Incidents/Accidents will be investigated by the Law Enforcement Investigations Section of the DNR. This includes all drownings involving a vessel.
- D. It shall be the duty of the investigator to notify the appropriate Victim's Assistance Coordinator/Advocate; in the absence of a coordinator, this responsibility will fall on the assigned reporting/investigating officer.
- E. Notification: When a boating incident/accident occurs and it is determined that there is a fatality involved, the following procedures will be adhered to:
 - 1) The responding DNR Law Enforcement Officer will notify an appropriate Supervisor and the Communications Section.
 - 2) The Communications Section will notify the appropriate Law Enforcement Investigator, Law Enforcement Investigations Supervisor and affected Region Captain or Lieutenant, and Senior Staff.

DUTIES

- A. Duties of the Marine Law Enforcement Investigator at a Fatal Boat Incident/ Accident scene:
 - 1) While in route to the scene the investigator may contact the responding officer(s) and give specific instructions on scene preservation, evidence collection, operator and witness identification and interviews; Responding Officers may be directed to perform other investigative duties pending the arrival of the investigator.
 - 2) Upon arrival at the scene the investigator becomes the lead officer and has final authority over the utilization of DNR resources in furtherance of the investigation.
- B. Duties of the Law Enforcement Investigator in relation to Reportable Boat Incidents/Accidents in general:
 - 1) Investigate any reportable boating incident/accident when a request is received and approved by the Supervisor of the Law Enforcement Investigations Section.
 - 2) Assist DNR Law Enforcement personnel with a reportable boat incident /_accident investigations upon notification.
 - 3) Provide insight and guidance in any SCDNR Boating Accident / Incident Reports completed by DNR Law Enforcement personnel for accuracy and completeness prior to submission to the Law Enforcement Investigations office for processing.
 - 4) Perform those duties and/or assignments involving reportable boat incidents/accidents as required by the Supervisor of the Law Enforcement Investigations Section.
 - 5) Keep local supervisors informed of the progress of ongoing investigations.

DOCUMENTATION

- A. All boating incidents/accidents will be documented on the SCDNR Boating Accident (BAR) form. The report will be completed and submitted by the investigating officer to his or her supervisor for review and approval. Both the reporting officer and supervisor must sign the report.
- B. The report should include witness statements, pictures, Victim's Information and a sketch of the incident.
- C. BAR's should be submitted in a timely manner and once approved forwarded by the region to the Law Enforcement Investigations Office.

APPROVED:



A.C. Frampton, Colonel